

REMARKS

Claims 1-15 were originally presented in the subject application. Claims 1-15 were cancelled and claims 16-47 added in a Response dated August 4, 2004. Claims 16, 20, 28, 33, 34, 36, 40, 41 and 47 were amended in a Preliminary Amendment filed April 8, 2005, with a Request for Continued Examination. Claims 21, 37 and 44 were canceled without prejudice, and claims 16, 19, 28, 32, 34, 35, 41 and 42 amended in a Response dated October 27, 2006.

Claims 16, 22, 25, 33, 34, 40, 41 and 45-47 have herein been amended to more clearly point out and distinctly claim the subject invention. No claims have herein been canceled or added. Therefore, claims 16-20, 22-36, 38-43 and 45-47 remain in this case.

The addition of new matter has been scrupulously avoided. In that regard, support for the common amendment to independent claims 16, 33, 34, 40, 41 and 47 can be found in the specification at, for example, page 4, lines 4-22 and prior claims 22, 25, 39, 45 and 46.

Applicants respectfully request entry of these amendments and remarks, and reconsideration and withdrawal of the various grounds of rejection.

35 U.S.C. §102 Rejection

The final Office Action rejected claims 16-20, 22-30, 32-36, 38-43 and 45-47 under 35 U.S.C. §102(b), as allegedly anticipated by Beuk et al. (U.S. Patent No. 5,446,266). Applicants respectfully, but most strenuously, traverse this rejection.

Amended claim 16 recites a method of controlling card holder verification. The method comprises checking the presence of a trusted association between at least one device and a card usable with the at least one device, the checking comprising comparing an identifier stored on the card with one or more identifiers stored in the at least one device. The method further comprises, if the checking indicates the presence of a trusted association, performing card holder verification separate from the comparing using the card and without involving a holder of the card. The method further comprises, if the checking indicates no trusted association, involving the holder of the card in performing card holder verification.

The Advisory Action suggested that Applicants further describe what is meant by the presence of a trusted association. In response, Applicants have amended the claims to recite, in some form, comparing an identifier stored on the card with one or more identifiers stored on the at least one device. In addition, Applicants have further amended the claims to recite, in some form, that the card holder verification is separate from the comparing.

Beuk et al. discloses a system with two types of cards, a unique card having a system code and one or more other cards having a security code. Any security card with the correct security code can operate the apparatus, but only the unique card with the system code can change the security code for apparatus operation. If the security code on a given security card does not match the current one in the apparatus memory, the user is asked to enter the correct security code manually.

Against claim 16, the final Office Action cites to Beuk et al. at column 2, lines 55-65 and column 3, lines 10-16. Apparently, the Advisory Action alleges that a user in possession of a security card is somehow a trusted association, and that the security code on the card is checked for card holder verification.

Although Applicants disagree, in order to advance prosecution, Applicants have amended the claims to recite that checking the presence of a trusted association comprises comparing an identifier stored on the card with one or more identifiers stored on the at least one device. In addition, Applicants have amended the claims to recite that card holder verification is separate from the comparing. Thus, the Beuk et al. security card alone cannot read on the comparing. Moreover, the Beuk et al. security code check of the security card cannot read on both the comparing and card holder verification, because the amended claims recite that card holder verification is separate from the comparing and also uses the card.

Therefore, Applicants submit that claim 16 cannot be anticipated by, or even made obvious over, Beuk et al.

Each of independent claims 33, 40 and 47 contains, in some form, limitations similar to that argued above with respect to claim 16. Thus, the remarks made above with respect to claim

16 are equally applicable thereto. Therefore, each of claims 33, 40 and 47 also cannot be anticipated by, or even made obvious over, Beuk et al.

Amended claim 34 recites a system of controlling card holder verification. The system comprises means for checking the presence of a trusted association between at least one device and a card usable with the at least one device. The means for checking comprises means for comparing an identifier stored on the card with one or more identifiers stored in the at least one device. The system further comprises means for performing card holder verification separate from the comparing using the card and without involving a holder of the card. The system further comprises, if the checking indicates the presence of the trusted association, or for involving the holder of the card in performing card holder verification, if the checking indicates no trusted association.

Applicants have amended the claims to recite that the means for checking the presence of a trusted association comprises means for comparing an identifier stored on the card with one or more identifiers stored on the at least one device. In addition, Applicants have amended the claims to recite that card holder verification is separate from the comparing. Thus, the Beuk et al. security card alone cannot read on the means for comparing. Moreover, the Beuk et al. security code check of the security card cannot read on both the means for comparing and the means for performing card holder verification, because the amended claims recite that card holder verification is separate from the comparing and also uses the card.

Therefore, Applicants submit that claim 34 cannot be anticipated by, or even made obvious over, Beuk et al.

Independent claim 41 contains, in another form, limitations similar to that argued above with respect to claim 34. Thus, the remarks made above with respect to claim 34 are equally applicable thereto. Therefore, claim 41 also cannot be anticipated by, or even made obvious over, Beuk et al.

35 U.S.C. §103 Rejection

The Office Action rejected claim 31 under 35 U.S.C. §103, as allegedly obvious over Beuk et al. in view of Sloan (U.S. Patent No. 6,179,205). Applicants respectfully, but most strenuously, traverse this rejection.

The Advisory Action mentions the preamble. If Applicants indicated somewhere in prosecution that claim 31 referenced the claim 16 preamble, it was a misstatement. Claim 31 depends directly from claim 30 and ultimately from claim 16, and refers to the controlling in claim 30.

Applicants submit that claim 31 is allowable for same reasons set forth above with respect to claims 16, as well as for its additional limitations. Sloan fails to remedy the shortcomings of Beuk et al. noted above with respect to claim 16.

In addition, Applicants maintain the arguments set forth in the Appeal Brief and in the prior response regarding Sloan.

Therefore, Applicants submit that claim 31 cannot be rendered obvious over Beuk et al. in view of Sloan.

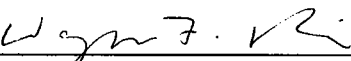
CONCLUSION

Applicants submit that the dependent claims not specifically addressed herein are allowable for the same reasons as the independent claims from which they directly or ultimately depend, as well as for their additional limitations.

For all the above reasons, Applicants maintain that the claims of the subject application define patentable subject matter and earnestly request entry of these remarks and allowance of claims 16-20, 22-36, 38-43 and 45-47.

If a telephone conference would be of assistance in advancing prosecution of the subject application, Applicants' undersigned attorney invites the Examiner to telephone him at the number provided.

Respectfully submitted,

  
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Dated: May 9, 2007.

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